

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE: KYLE SIRIANI

JUDGMENT  
07-CV- 3172 (ENV)

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A Memorandum and Order of Honorable Eric N. Vitaliano, United States District Judge, having been filed on October 26, 2007, dismissing the case for plaintiff's failure to file a complaint by the Court's deadline; directing that dismissal is without prejudice to plaintiff's right to file a complaint asserting any appropriate civil rights claim in the United States District Court for the Western District of New York; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith; and denying *in forma pauperis* status for the purpose of an appeal; it is

ORDERED and ADJUDGED that the case is dismissed for plaintiff's failure to file a complaint by the Court's deadline; that the dismissal is without prejudice to plaintiff's right to file a complaint asserting any appropriate civil rights claim in the United States District Court for the Western District of New York; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from this Order would not be taken in good faith; and that *in forma pauperis* status is denied for the purpose of an appeal.

Dated: Brooklyn, New York  
October 29, 2007

ROBERT C. HEINEMANN  
Clerk of Court